IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF LOUISIANA MONROE DIVISION

STATE OF LOUISIANA, STATE OF MISSOURI, et al.

Plaintiffs,

v.

Case No. 3:22-cv-01213-TAD-KDM

JOSEPH R. BIDEN, JR., in his official capacity as President of the United States, *et al.*,

Defendants.

PLAINTIFFS' CONSENT MOTION FOR LEAVE TO EXCEED PAGE LIMIT FOR REPLY BRIEF IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION

Pursuant to the Local Rules of this Court, Plaintiffs respectfully request the Court's leave to file a 117-page Reply Brief in support of their Motion for a Preliminary Injunction. Counsel for Defendants have consented to this request. In support, Plaintiffs state as follows:

In this Court's Order (Doc. 223) addressing, among other things, the length of Plaintiffs' Proposed Findings of Fact (Doc. 214-1) and Defendants' alternative request for an extension of time to respond, this Court noted it "anticipated lengthy briefs would be provided by both parties" regarding the preliminary injunction motion. Doc. 223, at 2. Plaintiffs' Reply Brief analyzes the evidence and complex legal questions involving extensive discovery, numerous defendants, and significant allegations. The Reply Brief, moreover, is in response to the 275-page response brief Defendants filed in response to Plaintiffs' Motion for a Preliminary Injunction. *See* Docs. 266, 266-8. An overlength brief is warranted to provide the Court with a thorough and comprehensive discussion of these issues.

Therefore, Plaintiffs respectfully request leave to file a 117-page Reply Brief, which is attached to this Motion.

Dated: May 20, 2023

ANDREW BAILEY Attorney General of Missouri

/s/ Kenneth C. Capps

Joshua M. Divine, Mo. Bar No. 69875*
Solicitor General
Todd A. Scott, Mo. Bar No. 56614*
Senior Counsel
Kenneth C. Capps, Mo. Bar No. 70908*
Assistant Attorney General
Missouri Attorney General's Office
Post Office Box 899
Jefferson City, MO 65102
Tel: (573) 751-8870
kenneth.capps@ago.mo.gov

/s/ John J. Vecchione

Counsel for State of Missouri

John J. Vecchione *
New Civil Liberties Alliance
1225 19th Street N.W., Suite 450
Washington, DC 20036
Direct: (202) 918-6905
E-mail: john.vecchione@ncla.legal
Counsel for Plaintiffs Dr. Jayanta
Bhattacharya,
Dr. Martin Kulldorff, Dr. Aaron Kheriaty,
and Jill Hines

Respectfully submitted,

JEFFREY M. LANDRY Attorney General of Louisiana

/s/ D. John Sauer

Elizabeth B. Murrill (La #20685)

Solicitor General

Tracy Short (La #23940)

Assistant Attorney General

D. John Sauer (Mo #58721)*

Special Assistant Attorney General

Louisiana Department of Justice

1885 N. Third Street

Baton Rouge, Louisiana

Tel: (225) 326-6766

murrille@ag.louisiana.gov

Counsel for State of Louisiana

/s/ John C. Burns

John C. Burns *
Burns Law Firm
P.O. Box 191250
St. Louis, Missouri 63119
P: 314-329-5040
E-mail: john@burns-law-firm.com
Counsel for Plaintiff Jim Hoft

^{*} admitted pro hac vice

CERTIFICATE OF SERVICE

I hereby certify that, on May 20, 2023, I caused a true and correct copy of the foregoing to be filed by the Court's electronic filing system, to be served by operation of the Court's electronic filing system on counsel for all parties who have entered in the case.

/s/ D. John Sauer